

ORDER RECEIVED FOR FILING

84-337-SPH
PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve or interpret Section 1801.1B1d of the Baltimore County Zoning Regulations as rendering the other provisions of said Section 1801.1B1 a and b inapplicable to Section One, Village of Pawnee, recorded in Plat Record Book 50, folio 137.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: N/A
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: R. Bruce Alderman
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney's Telephone No.: (301) 828-1050

Legal Owner(s): VILLAGE OF PAWNEE LIMITED PARTNERSHIP
(Type or Print Name)
By: Charles Black, General Partner
Signature: _____
Address: _____
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
Name: _____
Address: _____
Phone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of April, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 31st day of May, 1984, at 10:45 o'clock A.M.

Call John
Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)



Lowell K. Bridwell
Secretary
Hal Kassoff
Acting Administrator

May 7, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 4-24-84
ITEM: #276
Property Owner: Village of Pawnee Limited Partnership
Location: W/S Ballard Ave. 74.10' S/E from c/l Aldeney Ave.
Existing Zoning: D.R. 16 (Proposed Windlass Freeway)
Proposed Zoning: Special Hearing to interpret Sec. 1801.1B1d of the B.C.Z.R. as rendering the other provisions of said Sec. 1801.1B1 a & b inapplicable to Sec. One Village of Pawnee recorded in Plat Book 50, folio 137.
Acres: 5.98
District: 15th

Dear Mr. Jablon:

On review of the submittal for the "Village of Pawnee", the State Highway Administration's Bureau of Highway Planning & Program Development offers the following comment:

The Windlass Freeway has been deleted from the State Highway Administration's Highway Needs Inventory.

With this updated information any reservation through the Village of Pawnee would be through Baltimore County.

Very truly yours,

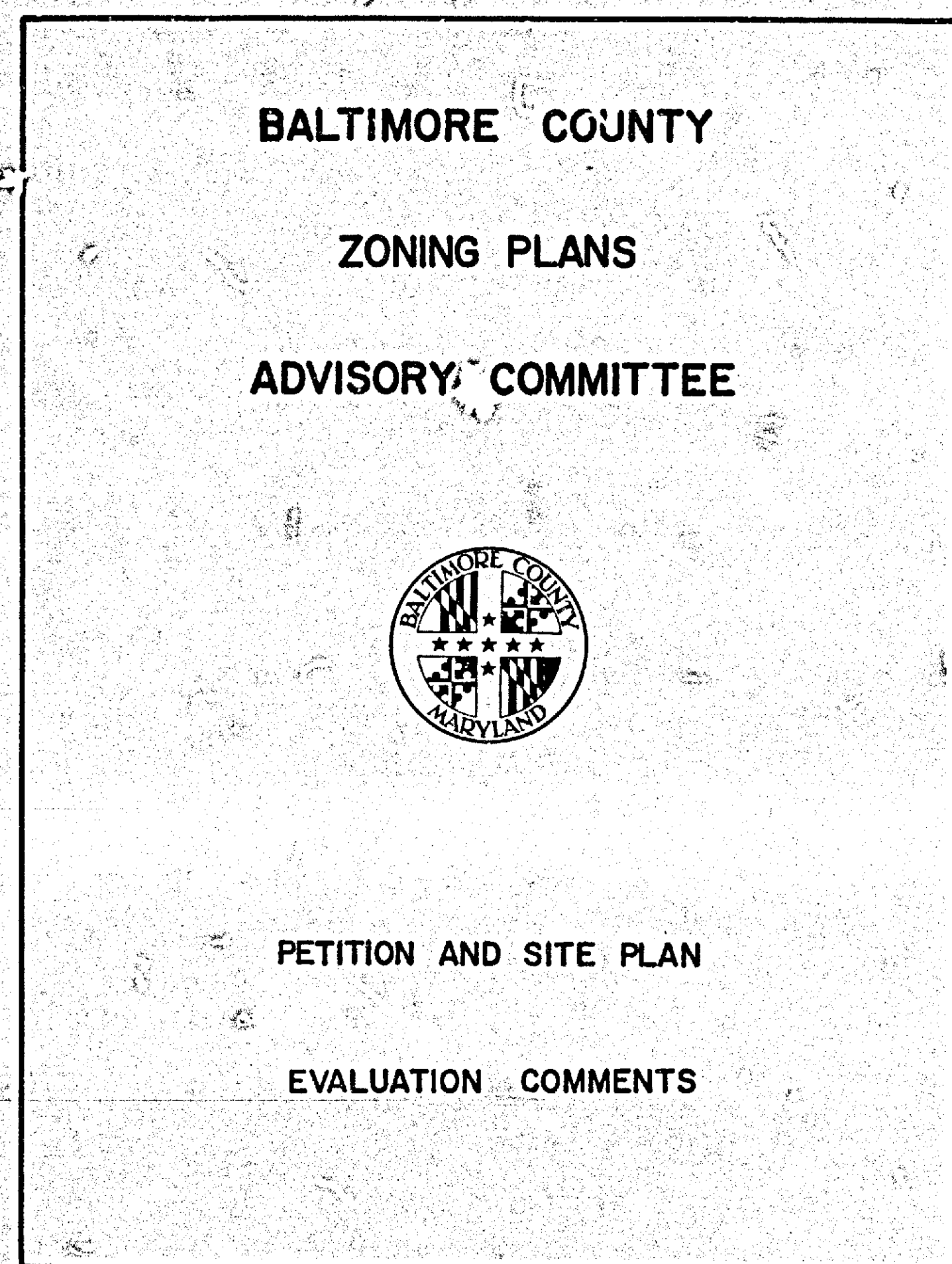
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:vr
cc: Mr. R. Morton
Johnson Bros. & Builders

By: George Wittman

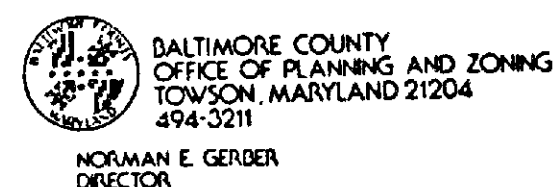
My telephone number is (301) 659-1350

Toll-free for impaired hearing or speech
303-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



PETITION AND SITE PLAN

EVALUATION COMMENTS



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 4-24-84
Item # 276
Property Owner: Village of Pawnee Ltd. Part.
Location: W/S Ballard Ave. 74.10' S/E from c/l Aldeney Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Landscaping should be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments: _____

ORIGINAL TENTATIVE APPROVED 4-18-84. TENTATIVE
APPROVAL EXTENSION 1-8-85 TO 1-8-85.

James A. Boer
Chief, Current Planning and Development

cc: James Howell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: April 25, 1984

FROM: G. E. Burnham, Chief, Building Plans Review C. E. B.

SUBJECT: Zoning Advisory Committee Meeting
April 25, 1984

Item #274 Standard Comment
Item #275 See Comment
Item #276 No Comment
Item #277 Standard Comment
Item #278 See Comments
Item #279 See Comments
Item #280 See Comments
Item #281 Standard Comments
Item #282 Standard Comments
Item #283 Standard Comments

CEB/vw



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

May 3, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Village of Pawnee Limited Partnership

Location: W/S Ballard Avenue 74.10' S/E from c/l Aldeney Ave.

Item No.: 276

Zoning Agenda: Meeting of 4/24/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature]
Special Inspection Division

Noted and
Approved: [Signature]
Fire Prevention Bureau

/mb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 23, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

R. Bruce Alderman, Esquire
305 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 276 - Case No. 84-337-SPH
Village of Pawnee Limited Partnership
Special Hearing Petition

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to determine whether the tentative plan for the above referenced development, approved prior to the adoption of Bill 124-81, should be subject to the requirements of said Bill, even though no construction has occurred.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Inc.
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures
cc: Development Design Group, Ltd.
Ridewood Building
1107 Kenilworth Drive
Towson, Maryland 21204

U.S. House of Representatives
Washington, D.C. 20515
PUBLIC DOCUMENT
OFFICIAL BUSINESS

Clarence D. Long
M.C.

My constituent is requesting your assistance in the enclosed correspondence. I should appreciate your consideration of this matter and contacting my constituent directly with your results.

MICROFILM

November 19, 1984

Mr. Vernon J. Foltz
327 Ballard Avenue
Baltimore, Maryland 21220

RE: Village of Pawnee Development
15th Election District

Dear Mr. Foltz:

I am in receipt of a letter you sent to Congressman Long dated November 2, 1984.

Please be advised that a public hearing was held, Case No. 84-337-SPH, and a decision was rendered which allows the development you oppose. Additionally, construction within a residential transition area (RTA), which is 300 feet from an existing dwelling, is permitted provided certain setbacks and buffering requirements are satisfied. This developer has satisfied these requirements.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/srl

cc: The Honorable Clarence D. Long

MICROFILM

NOV 06 1984

November 2, 1984

Clarence D. Long
200 Post Office Building
Chesapeake and Washington Avenues
Towson, Maryland 21204

Dear Congressman Long:

I recently went to a meeting on a zone change. I live in a single dwelling on Ballard Avenue and a contractor is building row homes within 50 feet of my home. When I inquired about this in Towson, a gentleman told me that the new law states that row homes cannot be built within 300 feet of a single home. I am concerned, and would like to know why this contractor is allowed to do this. The development I am speaking of is the Village of Pawnee. Already there is a row home foundation within 100 feet of my home and when this contractor is finished there will be row homes directly across from my home. I have enclosed a map showing the locations that I speak of.

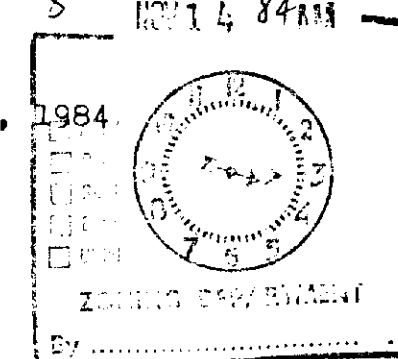
There is a map in Towson showing this development. The map shows a 300 foot radius around the homes that are presently here. The row homes that are being built are well within this radius.

If the law states that the contractor cannot build row homes within 300 feet of a single home, why is he being permitted to do so.

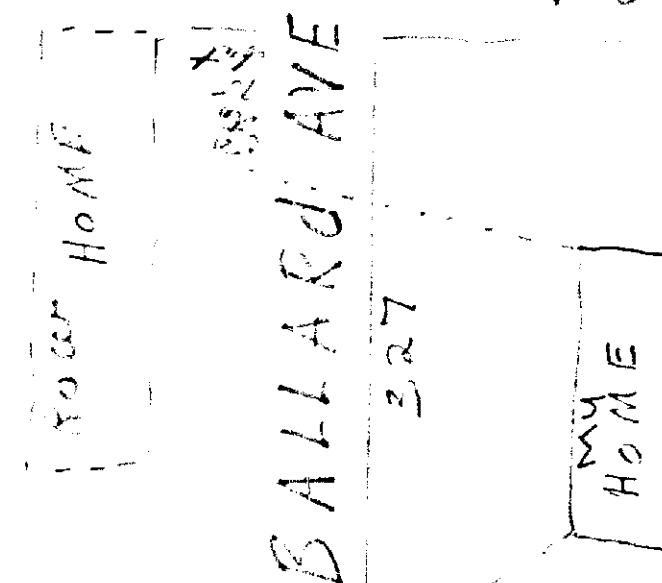
Any help that you can give to me in this matter will be greatly appreciated.

Thank you

Vernon J. Foltz
Vernon J. Foltz
327 Ballard Avenue
Baltimore, MD. 21220
687-4629



VILLAGE OF PAWNEE



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
W/S Ballard Ave., 74.10' SE : OF BALTIMORE COUNTY
Ave., 15th District
VILLAGE OF PAWNEE LIMITED : Case No. 84-337-SPH
PARTNERSHIP, Petitioner

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 9th day of May, 1984, a copy of the foregoing Entry of Appearance was mailed to R. Bruce Alderman, Esquire, White, Mindel, Clarke & Hill, 305 W. Chesapeake Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Lynn Fell
1508 Becklow Ave
21220
Cathie Wightman
13 Midego Dr.
Bacto. Md. 21220

CERTIFICATE OF PUBLICATION

TOWSON, MD, MAY 10, 1984
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 10th day of May, 1984, before the 10th day of May, 1984, the 10th day of May, 1984, appearing on the 10th day of May, 1984.

THE JEFFERSONIAN
S. Leask Smith
Manager

Cost of Advertisement, \$22.00

IN RE: PETITION SPECIAL HEARING : BEFORE THE
W/S of Ballard Avenue, 74.10' : ZONING COMMISSIONER
SE of the centerline of Alder- : OF BALTIMORE COUNTY
ney Avenue - 15th Election :
District :
Village of Pawnee Limited : Case No. 84-337-SPH
Partnership, :
Petitioner :

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein seeks an interpretation of the Zoning Commissioner in order to allow a prior existing approved subdivision plan to proceed to completion notwithstanding intervening legislation which would prevent such completion.

The Petitioner, by its General Partner, Charles Glock, appeared and was represented by Counsel. Also appearing was Richard B. Williams, the Petitioner's engineer. Elaine Charney, Vernon Foltz, Lynn Fell, and Cathie Wightman appeared as concerned citizens.

The subdivision, Section 1, Village of Pawnee, was approved for development by the Baltimore County Planning Board on March 13, 1980. Since that time, the developer has expended considerable time and money on engineering work but has not yet begun physical construction. Subsequent to the Planning Board action, the Baltimore County Council amended Section 1B01.1.B of the Baltimore County Zoning Regulations (BCZR), better known as the residential transition area (RTA) law, by further restricting certain uses within an RTA as defined in Section 1B01.1.B.1.a. The amendment did not become effective until August 26, 1982. If applicable here, Bill No. 109-82 would prevent the continuation of the proposed development. The amendment would impose certain restrictions and limitations which would make the approved plan unusable. See Petitioner's Exhibits 1 and 2.

ORDER RECEIVED FOR FILING
DATE *May 14 1984*
John P. Long

The developer now wishes to proceed with construction and has applied for the necessary permits, which have been withheld pending this hearing in order to determine the effect of Bill No. 109-82 on the prior approved plan.

The Petitioner seeks relief under Section 500.7, BCZR, for an interpretation of Section 1B01.1.B.1.(d), BCZR, in order to exempt the Pawnee development plan from the rule that there need be substantial construction to protect a development plan from subsequent changes in zoning.

Here approval or even recordation of a subdivision plat without statutory intervention does not insulate a plat from future zoning change unless there has been intervening vested rights. *Rockville Fuel & Feed Co. v. Gaithersburg*, 266 Md. 117 (1972). A vested right occurs when the property owner has obtained a building permit and has proceeded to exercise his rights on the land by proceeding to substantial construction so that the neighborhood may be advised as to the intended land use. See *Rupp v. Cline & sons*, 230 Md. 573 (1963). It is uncontested that the latter has not occurred here. The only issue presented is whether Section 1B01.1.B.1.(d) exempts the Petitioner from the requirements of Bill No. 109-82 by statutory intervention.

It is the opinion here that it is an example of statutory intervention and that it does exempt the Petitioner here from the restrictive language of Bill No. 109-82.

Certainly, the language of Section 1B01.1.B.1.(d) is clear and unambiguous. A statute should be so construed that all its parts harmonize with each other and under them consistent with its general object and scope. *Pittman v. Housh*, 180 Md. 457. The intent of the BCZR must be determined as being construed as a whole. *Smith v. Miller*, 249 Md. 390. Section 1B01.1.B.1.(d) must be construed in light of the provisions making up the RTA so that the several parts of those regulations are given their intended effect. Moreover, the

relationship between those various provisions must be reconciled as a whole. *Bowie Vol. Fire Dept. & Rescue Squad v. Bd. of County Commissioner*, 255 Md. 381; *Anderson, American Law of Zoning*, Section 16.08.

The Council first passed subsection (d) in 1970; a later amendment was made in 1981. Subsequent changes have left it intact. The intent and clear purpose of subsection (d) is to exempt developments from zoning changes effecting the RTA occurring after their approval. No other conclusion can be reached after a reading of the appropriate regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of June 1984, that the prior existing approved subdivision plan may proceed to completion notwithstanding intervening legislation which would prevent such completion and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

R. Bruce Alderman
Zoning Commissioner of
Baltimore County

cc: R. Bruce Alderman, Esquire
Ms. Elaine Charney
Mr. Vernon Foltz
People's Counsel

ORDER RECEIVED FOR FILING
DATE *June 14 1984*
BY *John P. Long*
Administrative Assistant

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 276, Zoning Advisory Committee Meeting of April 24, 1984

Property Owner: *Village of Pawnee Limited Partnership*

Location: *W/S Ballard Avenue* District *15*

Water Supply *public* Sewage Disposal *public*

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 434-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)
84-337-SPH
5/31

Zoning Item # 276 Zoning Advisory Committee Meeting of April 24, 1984
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 434-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 434-3768.
- () Soil percolation tests (have been/must be) conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

John P. Long
John P. Long, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R



HARRY J. PISTEL, P.E.
DIRECTOR

May 21, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #276 (1984-1985)
Property Owner: Village of Pawnee Limited Partnership
W/S Ballard Ave. 74.10' S/E from centerline
Aldeney Ave.
Acres: 5.98 District: 15th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement 158301 executed in conjunction with the development of this property, "Village of Pawnee - Section One."

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 276 (1983-1984).

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ms

cc: R. Covahey

1-NE Key Sheet
15 & 16 NE 32 & 33 Pos. Sheets
NE 4 H & 1 Topo
Tak Map 50

5/31/84
84-337-SPH

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 16, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Zoning Petition Nos. 84-335-A, 84-336-A, 84-337-SPH, 84-338-A,
SUBJECT: 84-339-A, 84-342-A, 84-343-A and 84-344-SPH

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

May 2, 1984

R. Bruce Alderman, Esquire
305 W. Chesapeake Avenue
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petition for Special Hearing
W/S of Ballard Ave., 74.10' SE of the c/l of
Aldeney Avenue
Village of Pawnee Limited Partnership - Petitioners
Case No. 84-337-SPH

TIME: 10:45 A.M.

DATE: Thursday, May 31, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

R. Bruce Alderman
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 128274

DATE: 5-11-84 ACCOUNT: R-01-615-000

AMOUNT: 107.00

RECEIVED FROM: W/LC MATH C/L 1-411
FOR: Entry fee to Item 276 Village of Pawnee

(CC) C 645*****1002000 411AA

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 5/21/84
Posted for: [Signature]
Petitioner: [Signature]
Location of property: [Signature]
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature] Date of return: 5/21/84
Number of Signs: [Signature]

PETITION FOR SPECIAL HEARING

15th Election District

ZONING: Petition for Special Hearing
LOCATION: West side of Ballard Avenue, 74.10 ft. Southeast of the centerline of Aldeney Avenue
DATE & TIME: Thursday, May 31, 1984 at 10:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

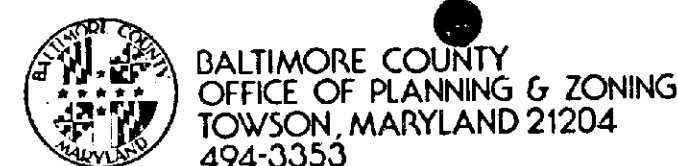
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should interpret Section 1801.1B.1.d of the Baltimore County Zoning Regulations as rendering the other provisions of said Section 1801.1B.1.a and b inapplicable to Section One, Village of Pawnee, recorded in Plat Record Book 50, folio 137

Being the property of Village of Pawnee Limited Partnership, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



ARNOLD JABLON
ZONING COMMISSIONER

May 22, 1984

R. Bruce Alderman, Esquire
305 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
W/S of Ballard Ave., 74.10' SE of the
c/l of Aldeney Avenue
Village of Pawnee Limited Partnership - Petitioner
Case No. 84-337-SPH

Dear Mr. Alderman:

This is to advise you that \$55.52 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

No. 130515

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 5/31/84 ACCOUNT: R-01-615-000

AMOUNT: \$55.52

RECEIVED FROM: R. Bruce Alderman, Esquire
FOR: advertising and posting Case #84-337-SPH
(Village of Pawnee Limited Partnership)

C 130*****555210 401AA

VALIDATION OR SIGNATURE OF CASHIER

Development Design Group, Ltd.

SURVEYORS • ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS

Richard B. Williams
President
Sandra J. Williams
Vice President
William A. Brodsky
Chief Designer

C. Scott Shandberg
Property Line Surveyor

**DESCRIPTION OF SECTION ONE
VILLAGE OF PAWNEE**

All that parcel of land lying on the west side of Ballard Avenue in the 15th Election District of Baltimore County, Maryland, being more particularly described as follows:

Beginning for the same at a point number C-24 on a subdivision plat entitled "Section One, Village of Pawnee" and recorded among the Land Records in Plat Book 50, Folio 137, said point being South 05°50'00" East a distance of 74.10 feet from the intersection of the centerline of Ballard Avenue with the centerline of Aldeney Avenue; thence binding on the outline of the above-mentioned plat the eight (8) following courses and distances:

- 1) South 83°26'24" West a distance of 678.51 feet;
- 2) North 05°55'16" West a distance of 229.21 feet;
- 3) North 83°26'24" East a distance of 114.82 feet;
- 4) North 16°25'36" West a distance of 64.27 feet;
- 5) North 73°23'43" East a distance of 272.37 feet;
- 6) North 19°32'15" West a distance of 152.30 feet;
- 7) South 84°10'00" East a distance of 344.32 feet; and

1107 KENILWORTH AVENUE, SUITE 100 • TOWSON, MARYLAND 21204 • (301) 828-0727

8) South 05°50'00" East a distance of 484.10 feet to the place of beginning. Containing 5.98 acres of land, more or less.

Being all of the land shown on the above-mentioned subdivision plat entitled "Section One, Village of Pawnee".



G. Scott Shandberg

**Petition For
Special Hearing**

15th Election District

ZONING: Petition for

Special Hearing

LOCATION: West side

of Ballard Avenue, 74.10

ft. Southeast of the

centerline of Aldeney Avenue.

DATE & TIME: Thurs-

day, May 31, 1984 at 10:45

A.M.

PUBLIC HEARING: Room

106, County Office

Building, 111 W. Ches-

apeake Avenue, Towson,

Maryland.

The Zoning Commis-

sioner of Baltimore Coun-

ty, by authority of the

Zoning Act and Regula-

tions of Baltimore Coun-

ty, should interpret

Section 1801.1B.1.d of the

Baltimore County Zoning

Regulations as rendering

the other provisions of

said Section 1801.1B.1.a

and b inapplicable to

Section One, Village of

Pawnee, recorded in Plat

Record Book 50, folio 137.

Being the property of

Village of Pawnee Limited

Partnership, as shown on

plat plan filed with the

Zoning Department.

In the event that this

Petition is granted, a

building permit may be

issued within the thirty

(30) day appeal period.

The Zoning Commis-

sioner will, however,

entertain any request

for a stay of the

issuance of said permit

during this period for

good cause shown.

Such request must be

received in writing by

the date of the hearing

set above or made at

the hearing.

BY ORDER OF

ARNOLD JABLON

Zoning Commissioner

OF BALTIMORE COUNTY

The Times

Middle River, Md., May 20, 1984

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of _____ successive

weeks before the _____ day of

May, 1984

for _____ Publisher.

CURVE DATA						
FROM	TO	Δ	R	L	T	CHORD
16	18	5°19'00"	449.26'	41.16'	20.60'	801°32'30"W 41.19'
17	19	5°19'00"	509.26'	33.84'	10.93'	N01°32'30"E 33.82'

DENSITY CALCULATIONS:

GROSS ACREAGE	5.98 AC.
SECTION ONE	61.93 AC.
FUTURE SECTIONS	67.91 AC.
TOTAL ACREAGE	
EXISTING ZONING	DR 16
SECTION ONE	DR 16, DR 10.5, DR 5.5 & MLR
FUTURE SECTIONS	
ACREAGE IN:	
SECTION ONE	5.98
FUTURE SECTIONS	
DR 16	2.97
DR 10.5	16.70
DR 5.5	39.65
MLR	0.61

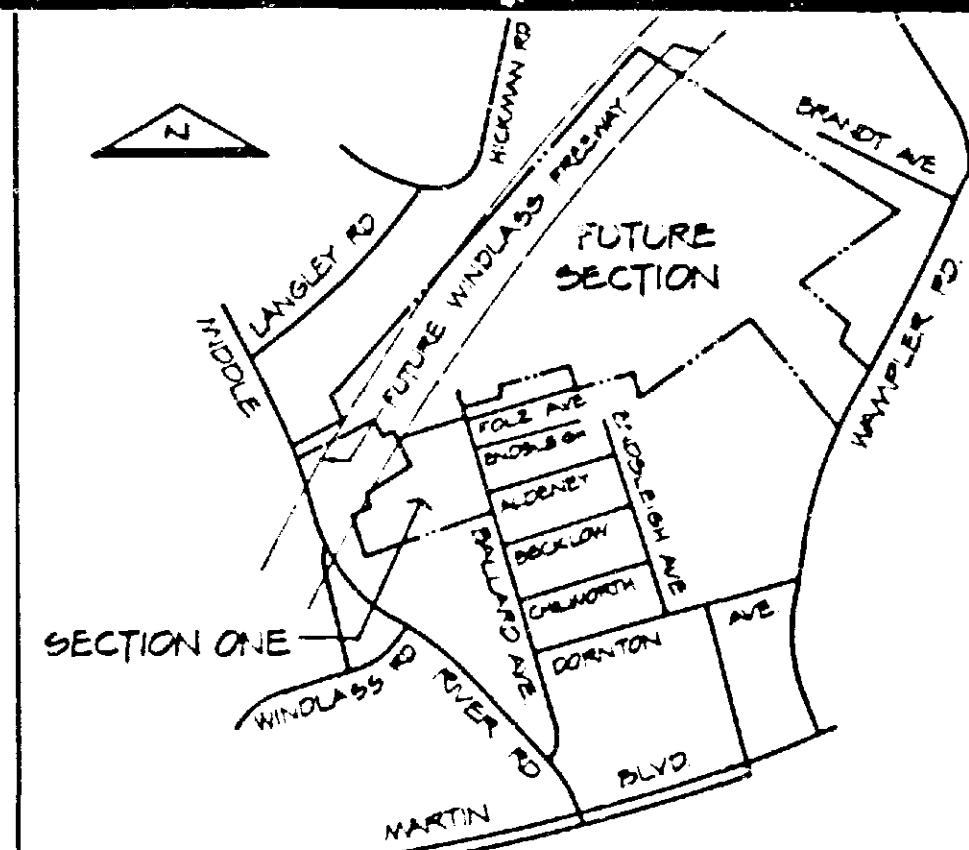
UNITS ALLOWED:	
SECTION ONE	95.60 DN. UNITS
DR 16 (16 x 5.98 AC)	
FUTURE SECTIONS	
DR 16 (16 x 2.97 AC)	47.52 DN. UNITS
DR 10.5 (10.5 x 16.70 AC)	196.35 DN. UNITS
DR 5.5 (5.5 x 39.65 AC)	216.06 DN. UNITS
TOTAL DENSITY UNITS	143.2 DN. UNITS
TOTAL DWELLING UNITS	414.43 DN. UNITS

UNITS PROPOSED:	
SECTION ONE	60.2 BR. TOWNHOUSES
(60 x 1.0 DN. UNITS)	60 DN. UNITS
FUTURE SECTIONS	25.5 SIN. FAM. LOTS
349.5 BR. TOWNHOUSES	25 DN. UNITS
8-2 BR. TOWNHOUSES (8 x 10 DN. UNITS)	8 DN. UNITS
TOTAL DWELLING UNITS PROPOSED	360 DN. UNITS
TOTAL DENSITY UNITS PROPOSED	60 DN. UNITS
PARKING REQUIRED:	
SECTION ONE (1.55 SP/TH)	92 SPACES
1.55 x 60 DN. UNITS	
FUTURE SECTIONS	
(1.55 SP/TH, IN DR 16) 1.55 x 8 DN. UNITS	13
(1.75 SP/TH) 1.75 x 349 TH	604
(2.25 SP/TH, IN DR 16) 2.25 x 25 SIN. FAM. LOTS	40
TOTAL PARKING REQUIRED	799 SPACES

PARKING PROPOSED:	
SECTION ONE	140
FUTURE SECTIONS	650
TOTAL PARKING PROPOSED	790 SPACES

LOCAL OPEN SPACE REQUIRED:	
SECTION ONE (15% OF 5.98 AC)	0.90 AC
FUTURE SECTIONS (15% OF 2.97 AC)	0.44
(12% OF 16.7 AC)	2.24
(6% OF 39.65 AC)	2.38
TOTAL OPEN SPACE REQUIRED	5.96 AC

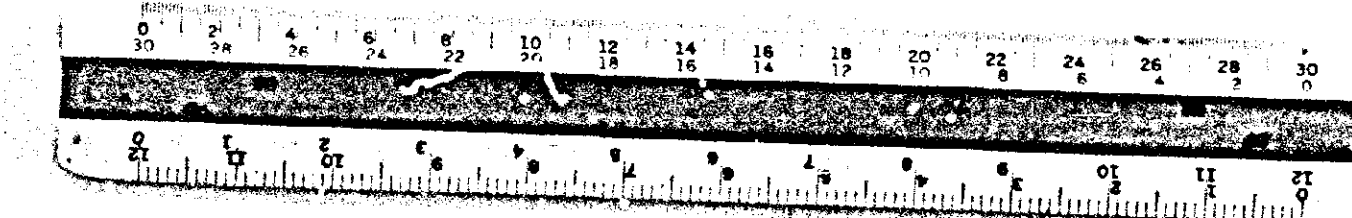
LOCAL OPEN SPACE PROPOSED	
SECTION ONE	0.90 AC
FUTURE SECTIONS	10.75 AC
TOTAL OPEN SPACE PROPOSED	11.65 AC



VICINITY SKETCH
SCALE: 1"=1000'

COORDINATE TABLE

N	E	NORTH	EAST
9	10	14640.18	47802.52
10	11	14647.27	47804.12
11	12	14655.22	47772.13
12	13	14663.03	47845.02
13	14	14670.14	47852.10
14	15	14675.22	48126.05
15	16	14679.01	48117.92
16	17	14681.25	48092.60
17	18	14683.75	48077.22
18	19	14685.51	48000.97
19	20	14687.47	48009.90
20	21	14689.92	48070.10
21	22	14692.99	48220.06
22	23	14695.19	48232.71
23	24	14697.58	47996.32
24	25	14699.16	47970.72
25	26	15102.52	48251.66
26	27	15093.59	48292.62
27	28	15106.17	48315.32
28	29	14674.57	47840.55
29	30	14621.06	47686.45
30	31	14704.56	48362.52
31	32	14855.05	47664.81
32	33	14865.17	47770.28
33	34	15007.65	48021.71



EH.K, JR. 50 FOLIO 137

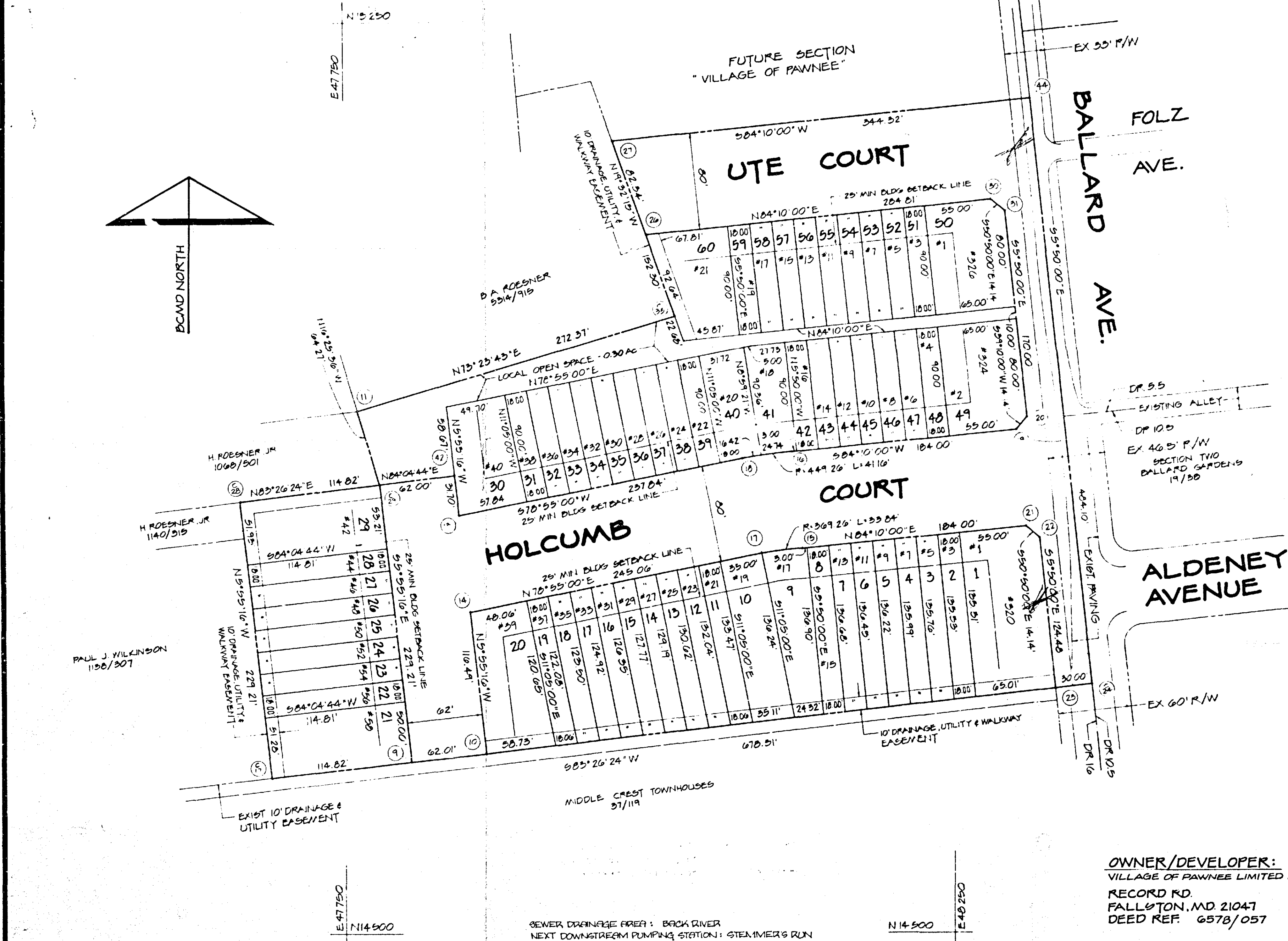
Filed for record
JAN 6 1984

SECTION ONE VILLAGE OF PAWNEE

15th ELECTION DISTRICT BALTIMORE CO., MD.
SCALE: 1"=50'

PLAN APPROVAL DATE:
JAN. 8. 1982

OWNER/DEVELOPER:
VILLAGE OF PAWNEE LIMITED PARTNERSHIP
RECORD NO.
FALLSTON, MD. 21047
DEED REF. 6578/057



APPROVED: *[Signature]*
DATE: 12/28/83
DIRECTOR OF PUBLIC WORKS

APPROVED: *[Signature]*
DATE: 1/1/84
DIRECTOR OF PLANNING AND ZONING

APPROVED: *[Signature]*
DATE: 12-22-83
DEPUTY STATE & COUNTY HEALTH OFFICER

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAN AND THAT THE LAND SHOWN ON THIS PLAN HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

[Signature]
DATE: 1/1/84
REG. NO. 245

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAN, HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

[Signature]
DATE: 1-12-83

NOTE:

THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR THE PURPOSE OF DEDICATION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAN IS ATTACHED, THEIR HEIRS AND ASSIGNS

NOTE:

HIGHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE, AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES, AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST

NOTE:

1) FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE
2) RECORDING OF THIS PLAN DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAN
3) THIS PLAN MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF BALTIMORE COUNTY BILL 56-82 (SECTION 22-69)
4) RECORDING OF THIS PLAN DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY
5) THE INFORMATION SHOWN ON THIS PLAN MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAN
6) ADDITIONAL INFORMATION CONCERNING THIS PLAN MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

PWA COMPLETED 12/28/83
FINAL PLAT CHECKED
PLANNING
ENGINEERING
STREET NAMES
HOUSE NOS. 1-12/28/83

DEVELOPMENT DESIGN GROUP, LTD.
SURVEYORS · PLANNERS · ENGINEERS

107 KENILWORTH DRIVE
TOWSON, MARYLAND 21204
TELEPHONE (301) 628-0727

COMPUTED BY: RFL
DRAWN BY: TJH
CHECKED BY: GSS
PROJECT NUMBER: 7843



"PROVISORY SECTION" GENERAL NOTES

- 1) THE "PROVISORY SECTION" OF THIS PARTIAL DEVELOPMENT PLAN IS NOT INTENDED TO BE UTILIZED AS A FINAL DEVELOPMENT PLAN FROM WHICH BUILDING APPLICATIONS MAY BE APPROVED OR ISSUED. ITS PURPOSE IS TO PROVIDE THOSE WHO PURCHASE HOMES WITHIN 500' THEREOF WITH A REASONABLE UNDERSTANDING AS TO HOW THE DEVELOPER WILL IMPROVE ALL ADJOINING VACANT LAND THAT LIES WITHIN 500' OF THEIR HOME.
- 2) THE DIMENSIONED BOUNDARIES OF THE "PROVISORY SECTION" AS INDICATED HEREON ARE NOT INTENDED TO SEPARATE IT FROM THE OVERALL APPROVAL OF THIS PARTIAL DEVELOPMENT PLAN. ANY DEVIATION FROM THIS PARTIAL DEVELOPMENT PLAN, INCLUDING THE "PROVISORY SECTION", MUST BE APPROVED IN ACCORDANCE WITH SECTION 1801.9 A. 7.
- 3) APPROVAL OF THE "PROVISORY SECTION" IS NOT BASED ON FINAL ENGINEERED PLANS; HOWEVER, IT IS INTENDED TO ESTABLISH THE FINAL LOCATION, HEIGHT, USE, AND DENSITY OF BUILDINGS, OR THEIR ENVELOPES, TO WITHIN 25' OF THEIR FINAL ENGINEERED LOCATION. THE LOCATION AND TYPE OF EXISTING MAJOR VEGETATION THAT IS TO BE RETAINED, SCREENING, PARKING AREAS AND DRIVES TO THE EXTENT POSSIBLE, SO AS TO CONFORM WITH THEIR FINAL OR PERMANENT IMPROVEMENTS, AND OTHER PERTINENT AMENITIES.

REASON FOR FIRST AMENDED DEVELOPMENT PLAN
CHANGED DOWNHOUSES FROM 3 BEDROOM UNITS
TO 2 BEDROOM W/OPEN UNITS. FEB. 13, 1980
NO UNIT HAS BEEN SOLD WITHIN 500' OF
CHANGE. FEB. 13, 1980.

DENSITY CALCULATIONS:

GROSS ACREAGE:	
SECTION ONE	5.98 AC.
FUTURE SECTIONS	61.93 AC.
TOTAL ACREAGE	67.91 AC.

EXISTING ZONING:	
SECTION ONE	DR 10
FUTURE SECTIONS	DR 10, DR 10.5, DR 5.5 & MLR

ACREAGE IN:	
SECTION ONE	
DR 10	5.98 AC.
FUTURE SECTIONS	
DR 10	2.97 AC.
DR 10.5	19.70 AC.
DR 5.5	29.05 AC.
MLR	0.91 AC.

UNITS ALLOWED:	
SECTION ONE	
DR 10 (10 x 9.98 AC.)	98.00 DN. UNITS
FUTURE SECTIONS	
DR 10 (10 x 2.97 AC.)	47.52 DN. UNITS
DR 10.5 (10.5 x 19.70 AC.)	130.35 DN. UNITS
DR 5.5 (5.5 x 29.05 AC.)	210.00 DN. UNITS
TOTAL DENSITY UNITS	448.87 DN. UNITS

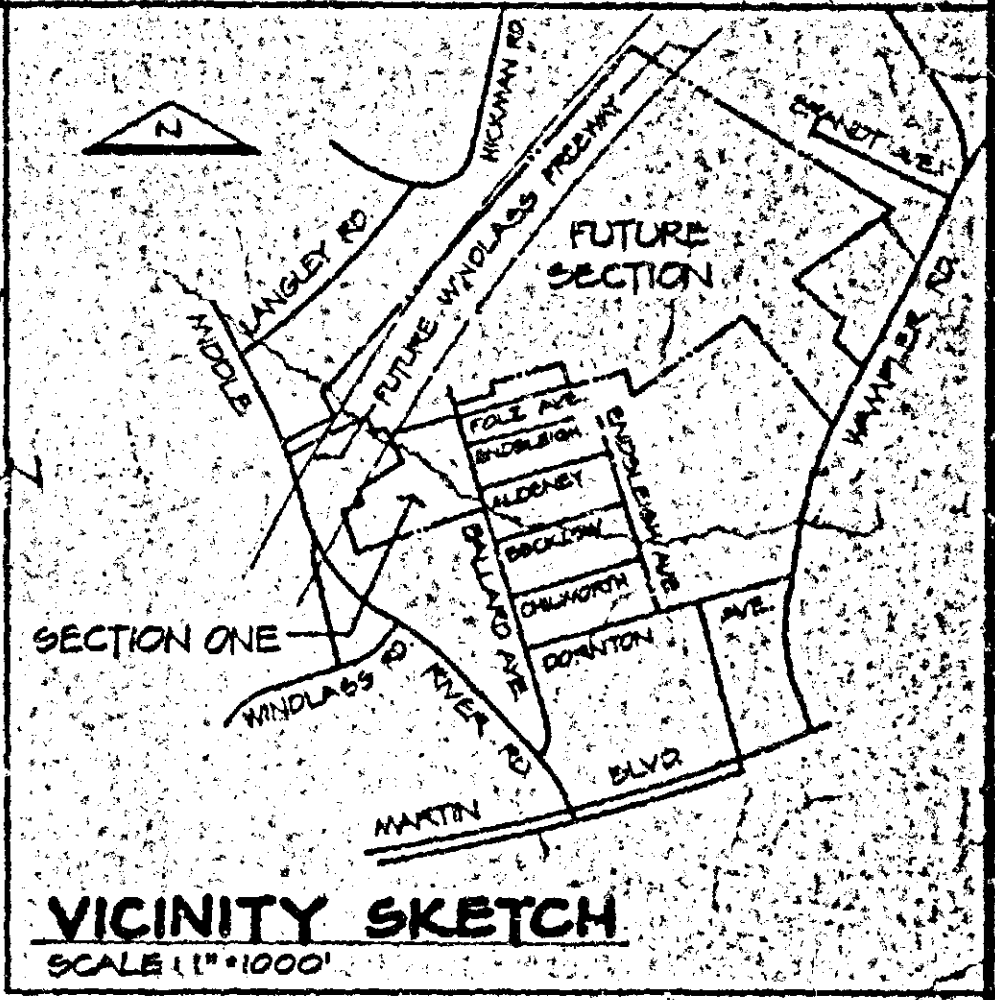
UNITS PROPOSED:	
SECTION ONE	60-2 DR TOWNHOUSES (60 x 1.0 DN. UNITS)
FUTURE SECTIONS	25-2 SN. FARM LOTS (25 x 1.0 DN. UNITS)
5-2 DR TOWNHOUSES (5 x 1.0 DN. UNITS)	5 DN. UNITS
TOTAL DWELLING UNITS PROPOSED	90 DN. UNITS

PARKING REQUIRED:	
SECTION ONE	1.95 SP/TH
FUTURE SECTIONS	1.25 SP/TH (1.25 x 1.0 DN. UNITS)
(1.75 SP/TH) 1.75 x 3.49 TH	13 SPACES
(1.75 SP/TH) 1.75 x 3.49 TH	13 SPACES
TOTAL PARKING REQUIRED	143 SPACES

PARKING PROVIDED:	
SECTION ONE	143
FUTURE SECTIONS	960
TOTAL PARKING PROVIDED	1103 SPACES

LOCAL OPEN SPACE REQUIRED:	
SECTION ONE (15% OF 5.98 AC.)	0.92 AC.
FUTURE SECTIONS (15% OF 2.97 AC.)	0.44
(12% OF 19.70 AC.)	2.36
(4% OF 29.05 AC.)	1.16
TOTAL OPEN SPACE REQUIRED	4.88 AC.

LOCAL OPEN SPACE PROVIDED:	
SECTION ONE	0.92 AC.
FUTURE SECTIONS	10.78 AC.
TOTAL OPEN SPACE PROVIDED	11.70 AC.



- GENERAL NOTES**
- 1) THERE WILL BE NO WINDOWS IN END WALLS OF UNITS.
 - 2) LANDSCAPING TO BE DONE BY INDIVIDUAL LOT OWNERS.
 - 3) REFUSE TO BE COLLECTED BY BALTIMORE CO.
 - 4) STREET LIGHTS WILL BE 100 WAT. MERCURY VAPOR POSTED BY UNITS ON 14' POLES.
 - 5) ALL ROADWAYS & PARKING DRIVES SHALL BE MACADAM PAVED.
 - 6) WHEN OPEN LAND IS SOLD AND BELONGS TO THE DWELLING UNIT, A MINIMUM AREA CONTIGUOUS OF 500' IS PROVIDED. THE MINIMUM DEPTH OF THIS CONTIGUOUS AREA IS 15'. COVERED AREAS SUCH AS PORCHES WILL NOT BE CALCULATED IN THIS SPACE.
 - 7) LOCAL OPEN SPACE WILL BE OWNED AND MAINTAINED BY BALTIMORE CO.
 - 8) ALL UNITS WILL BE COLO.
 - 9) PARKING SPACES WILL BE A MINIMUM OF 9' x 10'.
 - 10) SITE IS OPEN FIELD WITH NO SIGNIFICANT VEGETATION.
 - 11) EXISTING BUILDINGS ON SITE WILL BE RAZED, UNLESS OTHERWISE NOTED.
 - 12) STORM WATER MANAGEMENT STRUCTURES WILL BE PART OF SECTION TWO.
 - 13) 5' WALKWAY BASEMENT WILL BE PART OF 10' DRAINAGE UTILITY BASEMENT AND WILL BE LOCATED AS SHOWN ON PLAN.



OWNER/DEVELOPER:
GLOUCESTER RECORDING
FALLS CHURCH, VA

**FIRST AMENDED
PARTIAL DEVELOPMENT PLAN
SECTION ONE
VILLAGE OF PANNED**

10TH ELEC. DISTRICT
SCALE: 1" = 100'
DATE: OCT. 2, 1979
FEB. 13, 1980

DEVELOPMENT DESIGN GROUP

JAMES E. DYER 3/18/80